

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DIVERSIFIED CREDIT SERVICES, INC.

PLAINTIFF

v.

DANIEL LAPOINTE

Civil No. 06-5189

DEFENDANT

v.

HEALTHPLAN SERVICES, INC. AND
NEW ENGLAND LIFE INSURANCE COMPANY

THIRD-PARTY DEFENDANTS

JUDGMENT

NOW on this 22nd day of May 2007, in the above referenced matter, comes on for this Court's consideration third-party defendants', Healthplan Services, Inc. and New England Life Insurance Company (collectively "Healthplan"), **Motion for Summary Judgment** (document #9) and defendant Daniel LaPointe's ("LaPointe") response (document #12) and reply (document #16) thereto, and for the reasons set forth in the Court's Order of this date, the Court finds that Healthplan's **Motion for Summary Judgment** (document #9) should be, and it hereby is, **granted**.

Further, **judgment should be, and it hereby is, entered in favor of third-party defendants Healthplan and against defendant LaPointe; and LaPointe's third-party complaint** against Healthplan is **dismissed with prejudice**.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE